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Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)			Docket No. 97-564-C1
In Re Application Of: ANDREW S. VAN LUCHENE			
Serial No. 09/777,297	Filing Date February 6, 2001	Examiner Not Yet Assigned	Group Art Unit 2162
Invention: METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A POINT-OF-SALE TERMINAL			
ASSISTANT COMMISSIONER FOR PATENTS Attention: Office of Petitions Box DAC Washington, D.C. 20231			
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.			
The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.			
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION			
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.			
1. <input checked="" type="checkbox"/> A proposed reply to the above-identified Office Action:		RECEIVED MAY 22 2002 OFFICE OF PETITIONS	
<input checked="" type="checkbox"/> is enclosed. <input type="checkbox"/> was filed on _____			
The proposed reply is in the form of: _____			
2. <input type="checkbox"/> The issue fee:			
<input type="checkbox"/> is enclosed. <input type="checkbox"/> was paid on _____			
3. <input checked="" type="checkbox"/> A small entity declaration:			
<input checked="" type="checkbox"/> is enclosed. <input type="checkbox"/> was filed on _____			
4. <input checked="" type="checkbox"/> The abandoned application was a:			
<input type="checkbox"/> design application. <input checked="" type="checkbox"/> utility application. <input type="checkbox"/> plant application.			
5. <input type="checkbox"/> A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.			
6. <input checked="" type="checkbox"/> Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.			

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Docket No.
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Serial No.
09/777,297

Filing Date
February 6, 2001

Examiner
Not Yet Assigned

Group Art Unit
2162

Invention:

**METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A POINT-OF-SALE
TERMINAL**

Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$640.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☐ Continuing application filing fee in the amount of: _____
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____

Total fees enclosed: \$640.00

The fee of **\$640** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0271**
A duplicate copy of this sheet is enclosed.

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Docket No.
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Examined
Signed

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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Through a review of the above-referenced case, it has come to Applicants' attention that the time limitation allowed by the USPTO to correct the informalities indicated on the Notice to File Corrected Application Papers which was mailed on March 19, 2001, was unintentionally missed.

The error stemmed from Applicants' reliance on CPI, a patent management software system that is used for docketing actions, which indicated the action due but did not specify extension times and an eventual final due date (please see copy enclosed). The software system will be updated manually from now on, in order to provide the above mentioned dates for all similar future activities.

Responsive to the Notice to File Corrected Application Papers, enclosed please find a substitute specification formatted with proper margins in compliance with 37 CFR 1.52.

Applicants respectfully request that the formal application be accepted and that it should replace the informal one submitted on the filing date.


Signature

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
203.461.7337/phone
203.461.7300/fax

Customer No. 22927

Alderucci@walkerdigital.com

cc:

Dated: May 15, 2002

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MAY 22 2002
OFFICE OF PETITIONS

I certify that this document and fee is being deposited
on May 15, 2002 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence